

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, Alan MacMillan, MaryAnn Lash, David McKinnon, Mel Michaels/Associate Member, Andrea Nichols/Secretary, GERALYN Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Five voting members are present.

Citizen Inquiries:

Eric Hutchins, 45 Pooles Lane - follows up on violations by MBTA; submits photos showing pay loader near wetlands; says RCC should protect area as it is in watershed, impacts drinking water wells and requires stormwater protection. Agent Falco spoke to Holly Palmgren (MBTA) and apologizes for miswritten email stating that RCC would do nothing; Agent says MBTA is exempt from town wetland bylaws and WPA for maintenance/repairs of railroad. RCC is concerned about this and lack of communication with MBTA; RCC wants to know what rules railroad is exempt from; RCC suggests writing letter to MBTA regarding work done. Mr. Hutchins also reports old batteries have been thrown out and corrosives are leaking near pump station.

Jeffery & Erin Shelton, 25 Frank Street - explain that they took down trees, built treehouse and placed fill within 200' Riverfront Area to Sawmill Brook @ their 25 Frank Street property; did not know that stream was a river; had put down silt fence around fill at request of Agent Falco; display photos. Agent Falco says DEP received complaint and called RCC office. RCC requires filing after-the-fact NOI and will follow-up with letter.

Tom Mikus, 75 Marmion Way - tells that ROW Committee has received grant from MA Division of Marine Fisheries to improve Atlantic Path, specifically to improve access around Halibut Pt. State Park; will do other Atlantic Path work like strengthening loose rock and eroding stairways; work to be done by July 1, 2016. RCC requires NOI for work not done by hand (use of machinery and/or cement); suggests seeing Agent Falco at office with details of repairs.

Tim Thurman, Treehouse Design - asks RCC if proposed work at Seaview Inn (44 Marmion Way) needs application; photos and plan are shown; only patio to be constructed 93 feet from coastal bank. RCC agrees that no filing is necessary but requests plan and written explanation be submitted first.

Stewardship

Sandpiper property restoration – RCC should submit NOI for work on property; work to include removing foundation, filling area, creating walkable path, putting in benches/picnic table, removing septic system, basic ground work; suggest saving red cedars on site for wind break and bird habitat. Agent Falco to work on NOI to discuss at next meeting.

Minutes.

11/18/15: Mr. McKinnon moves to approve minutes as written; Mr. MacMillan seconds. Vote 5:0.

Continued Hearings

NOI 62-0718, Marion DeLuca, 122 Long Beach (Map 25/Lot 32). *Demolish & rebuild cottage on a barrier beach.* Jaime Walker (DeRosa Environmental Consulting, Inc.) and Remko Breuker (Breuker Design, LLC) are present for applicant. Mr. Breuker says more time needed and asks to

withdraw without prejudice; then asks to continue hearing. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Amendment to OC (DEP 62-0688), Andrew MacDowell, 54 Marmion Way (Map 26/Lot 90A). *Keep shed & construct stone retaining wall within 100' of coastal bank & within land subject to coastal storm flowage.* Jaime Walker (DeRosa Environmental Consulting, Inc.) is present for applicant. With no further issues, Chairman Neal moves to close hearing; Mr. MacMillan seconds. Vote 5:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Other Business

- **Minor Amendment -Millbrook Meadow & Mill Pond Invasive Plant (OC 062-0711)** - Laura Hallowell is present and makes presentation; OC allows removal of Norway Maple saplings; other trees need to be removed from meadow; hands out explanation of five (5) categories for tree removal and explains each: Category: 1) Trees that harm/crowd wanted trees wanted (walnuts & cherry); 2) Trees in way of removing other invasives; 3) Trees compromising stone wall and pond edges (red maple growing, Alberta spruce & walnut); 4) Trees interfering with use of park/safety (birch & Albert spruce); and 5) Large Norway maple. Ms. Hallowell to be in attendance when trees are removed. RCC rejects blanket approval, wants trees marked, wants to see restoration plan, asks Agent Falco to do site visit before trees removed. Chairman Neal moves to accept minor amendment with trees marked prior to removal & Agent Falco confirmation; Mr. MacMillan seconds. Further discussion: Ms. Laura suggests meeting Mr. McKinnon & Agent Falco at park prior to tree removal; hopes to have Vegetation Restoration Plan February, 2016. Vote 5:0.
- **Request for Certificate of Compliance, DEP 62-0702, Elizabeth Lenart, 1 Lucia Lane**
- **(Map 31/Lot 91).** Mr. Claypool moves to issue CoC; Mrs. Lash seconds. Vote 5:0.
- **Other Business/Announcements:** - Chairman Neal moves to add discussion of 2015 Annual Report and Emergency Certificate to agenda; Mr. McKinnon seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Mr. McKinnon, Chairman Neal.
 - 2015 Annual Report –. Claypool moves to approve annual report as amended; Mrs. Lash seconds. Vote 5:0.
 - **Request for Emergency Certificate, Crystal Leveille (64 Bearskin Neck, Inc.), 64 Bearskin Neck (Map 36/Lot 75B).** *Rock has eroded out of and caused a cavity.* Chairman Neal moves to ratify Emergency Certificate as written; Mr. Claypool seconds. Vote 5:0.
 - Mr. Michaels suggests that CPC money for conservation purposes be put on our agenda

Mr. Claypool moves to adjourn meeting; Chairman Neal seconds. Vote 5:0.

9:52 PM

RCC ► Meeting adjourns 9:52 PM ◄ RCC